

From: [Cargas, James P. - LGL](#)
To: [Moore, Gary](#)
Subject: RE: Emailing: AFJ Approved 12 12 13
Date: Tuesday, October 07, 2014 6:32:43 PM

Thank you

James P. Cargas

Senior Assistant City Attorney
Office of the City Attorney
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From: Moore, Gary [mailto:Moore.Gary@epa.gov]
Sent: Tuesday, October 07, 2014 6:18 PM
To: Cargas, James P. - LGL
Subject: Re: Emailing: AFJ Approved 12 12 13

James:
See attached.

Thanks

Gary Moore

Federal On-Scene Coordinator

U.S. EPA Region 6

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From: Cargas, James P. - LGL <James.Cargas@houstontx.gov>

Sent: Tuesday, October 7, 2014 3:26 PM

To: Moore, Gary

Cc: Salinas, Amy; Goodwin, Phillip - LGL

Subject: Emailing: AFJ Approved 12 12 13

Very unlikely TCEQ will see a penny from this Civil Penalty.

11 U.S. Code § 726 - Distribution of property of the estate

(a) Except as provided in section 510 of this title, property of the estate shall be distributed—

(1) first, in payment of claims of the kind specified in, and in the order specified in, section 507 of this title, proof of which is timely filed under section 501 of this title or tardily filed on or before the earlier of—

(A) the date that is 10 days after the mailing to creditors of the summary of the trustee's final report; or

(B) the date on which the trustee commences final distribution under this section;

(2) second, in payment of any allowed unsecured claim, other than a claim of a kind specified in paragraph (1), (3), or (4) of this subsection, proof of which is—

(A) timely filed under section 501 (a) of this title;

(B) timely filed under section 501 (b) or 501 (c) of this title; or

(C) tardily filed under section 501 (a) of this title, if—

(i) the creditor that holds such claim did not have notice or actual knowledge of the case in time for timely filing of a proof of such claim under section 501 (a) of this title; and

(ii) proof of such claim is filed in time to permit payment of such claim;

(3) third, in payment of any allowed unsecured claim proof of which is tardily filed under section 501 (a) of this title, other than a claim of the kind specified in paragraph (2)(C) of this subsection;

(4) fourth, in payment of any allowed claim, whether secured or unsecured, for any fine, penalty, or forfeiture, or for multiple, exemplary, or punitive damages, arising before the earlier of the order for relief or the appointment of a trustee, to the extent that such fine, penalty, forfeiture, or damages are not compensation for actual pecuniary loss suffered by the holder of such claim;

(5) fifth, in payment of interest at the legal rate from the date of the filing of the petition, on any claim paid under paragraph (1), (2), (3), or (4) of this subsection; and

(6) sixth, to the debtor.

James P. Cargas

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